

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

THE APPLICATION OF A.P.S. COMMUNICA-)
TIONS, INC. FOR A CERTIFICATE OF)
CONVENIENCE AND NECESSITY TO OPERATE) CASE NO. 9040
AS A RADIO UTILITY PROVIDING PAGING)
SERVICE IN THE BELL COUNTY,)
MIDDLESBORO, KENTUCKY AREA)

O R D E R

On April 20, 1984, A.P.S. Communications, Inc., ("A.P.S.") filed its application for a certificate of public convenience and necessity to provide paging service in Bell County, Kentucky. This was done as a result of a letter sent to Mr. Wayne Justice of A.P.S. from the Commission staff. This letter stated that A.P.S. was operating as a utility and must obtain a certificate of public convenience and necessity under KRS 278.020(1).

On June 13, 1984, a letter was sent to the certified paging service company in the area notifying it of the application of A.P.S. There was no response to the letter.

A.P.S. presently provides tone and voice paging service to parts of Bell County, Kentucky. The pagers are owned by A.P.S. and rented to its customers under tariff. A.P.S. presently serves 43 customers. A transmitting tower and building space, which is leased from WMIK radio as a repeater, is located on 20th Street in Middlesboro, Kentucky. A.P.S. is licensed to operate the transmitter by the Federal

Communications Commission at 157.740 MHZ with an output power of 75 watts.

The Commission, having considered the application and being advised, is of the opinion and finds that:

1. A.P.S. has 43 customers presently; therefore there is a public need for the service.

2. A.P.S., which has been in operation for approximately 2 years and is licensed by the FCC, has demonstrated technical capability in providing such service.

3. A.P.S., being in business for 2 years, has demonstrated its ability to operate in a continuing manner.

IT IS THEREFORE ORDERED that A.P.S. be and it hereby is granted a certificate of public convenience and necessity.

IT IS FURTHER ORDERED that the rates of A.P.S. as filed in its application be and they hereby are approved.

IT IS FURTHER ORDERED that A.P.S. shall file its tariffs containing its rates, rules and regulations in accordance with the Commission's regulations within 30 days of the date of this Order.

Done at Frankfort, Kentucky, this 20th day of July, 1984.

PUBLIC SERVICE COMMISSION

Richard D. Demanoff
Chairman

Robert T. Pugh
Vice Chairman

James S. Shull
Commissioner

ATTEST:

Acting Secretary